

UNITED STATES BANKRUPTCY COURT
OF
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE/BRYSON CITY DIVISIONS

In Re:) **TRUSTEE'S MOTION TO DISMISS, MODIFY**
) **OR FOR OTHER APPROPRIATE RELIEF,**
LAVERN LEE SHARP) **AND NOTICE OF HEARING**

Debtor(s))

Case No.: 12-10967

Pursuant to 11 USC § 1307, the Chapter 13 Trustee moves the Court to dismiss or modify the above named proceeding because the plan does not comply with 11 USC § 1322, § 1325, or other relevant provision of the Bankruptcy Code.

Date Petition Filed: 12/07/2012

Debtor(s) should have paid to Trustee: 45,530.00

Debtor(s) have paid to Trustee: 41,994.00

Plan Payment: 1570.00 Delinquent Amount: 3,536.00

Trustee has moved to dismiss on 0 prior occasions.

Debtor(s) failed to commence payments required by Section 1326(a)(1).

Plan fails to provide sufficient payments to priority, secured or unsecured creditors as required by 11 USC § 1322 or § 1325 and requires modification by the Court.

Other:

If the Court allows Trustee's motion to modify, plan payments may increase or decrease, and percentage payout to unsecured creditors may be reduced without further notice. The Court may also assess costs and attorneys fees. Service of this notice shall be on the parties indicated on the attached list.

PLEASE CONTACT YOUR ATTORNEY, T BENTLEY LEONARD, REGARDING THIS MOTION. THIS MATTER MAY BE RESOLVED WITHOUT HEARING. YOU SHOULD CONTACT YOUR ATTORNEY BEFORE MAKING ARRANGEMENTS TO ATTEND.

WHEREFORE, the Trustee moves the Court to dismiss, modify, or for other appropriate relief.

This the 22nd day of May 2015.

David G. Gray, Chapter 13 Trustee
81 Central Avenue
Asheville, NC 28801
828/254-7168

David G. Gray
David G. Gray, Chapter 13 Trustee

NOTICE OF HEARING ** CERTIFICATE OF SERVICE

To: Debtor(s), Debtor(s) Attorney and Creditors Filing Claims

The Trustee's motion will be heard in the Bankruptcy Courtroom, Federal Courthouse, Otis St., Asheville, NC at **9:30 A.M., Tuesday, June 16, 2015.**

Persons not attending may learn the Court's disposition of the matter by sending a stamped, self-addressed envelope with their request to David G. Gray, Chapter 13 Trustee, 81 Central Avenue, Asheville, NC 28801.

The Trustee hereby certifies that on the 22nd day of May 2015 he served a copy of the motion and notice on the above-parties in accordance with Rules 9013 and 9014 of the Bankruptcy Rules on the parties indicated on the attached list.

David G. Gray
David G. Gray, Chapter 13 Trustee

1210967
SHARP, LAVERN LEE
54 JUNIPER CT.
CANTON, NC 28716

1210967 1 001 6
SELENE FINANCE LP
9990 RICHMOND AVE., SUITE 400S
HOUSTON, TX 70042

1210967 3 003 12
QUANTUM3 GROUP LLC
MOMA FUNDING LLC
PO BOX 788
KIRKLAND, WA 98083

1210967 3 006 15
JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
ST CLOUD, MN 56302-9617

1210967 3 007 16
PREMIER BANKCARD
PREMIER/CSI-DEPT SDPR
PO BOX 2208
VACAVILLE, CA 95696

1210967 2 011 4
INTERNAL REVENUE SERVICE
P O BOX 7346
PHILADELPHIA, PA 19101-7346

1210967 1 015 9
ONEMAIN FINANCIAL SERVICES, INC CIT
PO BOX 6042
SIOUX FALLS, SD 57117-6042

1210967 3 015 23
CITIFIANANCIAL INC NC
PO BOX 6042
SIOUX FALLS, SD 57117-6042

1210967 3 016 8
BANK OF AMERICA, NA
C/O SIRI RHYNE SETZER
10130 PERIMETER PARKWAY, STE 400
CHARLOTTE, NC 28216

1210967 3 019 24
MATTHEW ZACHARY PHELAN
SHAPIRO & INGLE, LLP
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1210967 9 799 1
T BENTLEY LEONARD
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274 MERRIMON AVE
ASHEVILLE, NC 28801

1210967 7 881 2
DAVID G. GRAY, TRUSTEE
OTHER COSTS RECORD
81 CENTRAL AVENUE
ASHEVILLE, NC 28801